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Merchant & Gould

An Intellectual Property Law Firm

3200 IDS Center
80 South Eighth Street
Minneapolis, Minnesota
55402-2215 USA
TEL 612.332.5300
FAX 612.332.9081
www.merchant-
gould.com

A Professional Corporation

Fax Transmission | November 2, 2004

TO: Commissioner for Patents
Attn: Examiner My-Chau T. Tran
Patent Examining Corps
Facsimile Center
Washington, D.C. 20231

FROM: Katherine M. Kowalchuk

OUR REF: 11669.141USWO
TELEPHONE: 612.371.5311

Total pages, including cover letter: 4

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Title of Document Transmitted:

RESPONSE TO RESTRICTION
REQUIREMENT AND PETITION FOR
EXTENSION OF TIMEApplicant: SIDHU ET AL.
Serial No.: 09/380,447
Filed: SEPTEMBER 1, 1999
Group Art Unit: 1639
Our Ref. No.: 11669.141USWO
Confirmation No.: 2633

Please charge Deposit Account No. 13-2725 in the amount of \$110.00 for one-month extension of time. Please charge any additional fees or credit overpayment to Deposit Account No. 13-2725. Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers, if appropriate.

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S/N 09/380,447

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PATENTIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	SIDHU ET AL.	Examiner:	M. TRAN
Serial No.:	09/380,447	Group Art Unit:	1639
Filed:	SEPTEMBER 1, 1999	Docket No.:	11669.141USWO
Confirmation No.:	2633	Customer No.:	23552
Title:	TRANSFORMATION EFFICIENCY IN PHAGE DISPLAY THROUGH MODIFICATION OF A COAT PROTEIN		

CERTIFICATE UNDER 37 CFR 1.6(d):

I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office on November 2, 2004.

By:

Name: Sheryl A. Boerboom

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This response is being filed to respond to the restriction requirement dated September 16, 2004.

While not acquiescing to the restriction requirement, Applicants elect linking peptide comprising a sequence of SEQ ID NO:110, and elect the heterologous protein an antibody that binds erb2 with traverse. Applicants submit that the elected species of heterologous protein reads on pending claims 1, 3-4, 7-9, 11-12, 29-33, 44-47 and 52-54. Applicants submit the linking peptide comprising a sequence of SEQ ID NO:110 reads on claims 44 and 45.

Applicants request examination on the merits.

INTERVIEW SUMMARY

Applicants thank the Examiner for the interview concerning the restriction requirement. We discussed electing a species of linking peptide and a species of heterologous protein. The Examiner pointed out that the claim is to a fusion polypeptide

Appl. No: 09/380,447
Amendment Dated November 2, 2004
Reply to Office Action of September 16, 2004

comprising a heterologous protein. She indicated she would search both the genus and species.

Respectfully submitted,

MERCHANT & GOULD P.C.
P.O. Box 2903
Minneapolis, Minnesota 55402-0903
(612) 332-5300

Date: November 2, 2004

Katherine M. Kowalchuk
Katherine M. Kowalchuk
Reg. NO:36,848

